

**CORRECTED TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/560418
UnknownINTERNATIONAL APPLICATION NO.
PCT/IB2004/000981INTERNATIONAL FILING DATE
1 April 2004PRIORITY DATE CLAIMED
13 May 2003

TITLE OF INVENTION

PROCESS FOR PREPARING OMEGA-ANHYDROUS GATIFLOXACIN

APPLICANT(S) FOR DO/EO/US

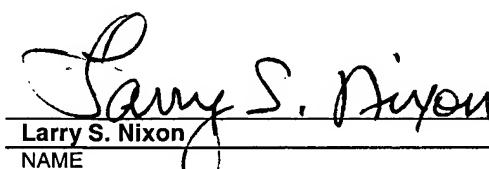
VAKIL et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The U.S. has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto (15 pages specification, claims & abstract (20 claims), 6 sheets drawings).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
 - a. is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. a. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
b. Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 To 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. a. A **FIRST** preliminary amendment.
b. A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. An Application Data Sheet under 37 C.F.R. § 1.76.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information. PTO/SB/08a listing references cited in the attached International Search Report

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO. PCT/IB2004/000981		ATTORNEY'S DOCKET NUMBER 4062-178																									
<input checked="" type="checkbox"/> The following fees are submitted:																													
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):																													
21. <input checked="" type="checkbox"/> Basic national fee \$300.00 (1631)/\$150.00 (2631) \$ 300.00 22. <input checked="" type="checkbox"/> Examination Fee \$0 (1643/2643) \$ 0 \$200.00 (1633)/\$100.00 (2633) \$ 200.00 23. <input checked="" type="checkbox"/> Search Fee \$0 (1640/2640) \$ 0 \$100 (1641)/\$50 (2641) \$ 50 \$400 (1642)/\$200 (2642) \$ 400 \$500.00 (1632)/\$250.00 (2632) \$ 500 TOTAL OF ABOVE CALCULATIONS \$ 900.00																													
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																													
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE																									
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<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th># EXTRA</th> <th colspan="3">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>20</td> <td>minus 20 =</td> <td>0 X</td> <td>\$50.00 (1615)/</td> <td>\$25.00 (2615)</td> </tr> <tr> <td>Independent Claims</td> <td>2</td> <td>minus 3 =</td> <td>0 X</td> <td>\$200.00 (1614)</td> <td>\$100.00 (2614)</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td colspan="3">\$360.00 (1616)/\$180.00 (2616)</td> </tr> </tbody> </table>						CLAIMS	NUMBER FILED	# EXTRA	RATE			Total Claims	20	minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)	Independent Claims	2	minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)		
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)																													
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.																													
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). <table border="1"> <tr> <td style="text-align: right;">+</td> <td style="text-align: right;">0.00</td> </tr> </table>						+	0.00																						
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TOTAL NATIONAL FEE = \$ 1030.00																													
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property <table border="1"> <tr> <td style="text-align: right;">+</td> <td style="text-align: right;">\$</td> </tr> </table>						+	\$																						
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Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453) <table border="1"> <tr> <td style="text-align: right;">+</td> <td style="text-align: right;">\$ 0.00</td> </tr> </table>						+	\$ 0.00																						
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a. <input type="checkbox"/> A check in the amount of \$1030.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate</u> copy of this form is enclosed. d. <input type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED. e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/IB2004/000981 and any U.S. and foreign application(s) corresponding thereto, and IN 479/MUM/2003, referred to in this application is/are hereby incorporated by reference in this application.																													
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.																													
CORRESPONDENCE ADDRESS																													
Direct all correspondence to:																													
<input checked="" type="checkbox"/> Customer Number: 23117 <small>Type Customer Number here</small>																													
Telephone: (703) 816-4000 LSN:alb																													
 Larry S. Nixon NAME																													
25,640 December 14, 2005 REGISTRATION NUMBER Date																													

IAP2 Rec'd PCT/PTO 14 DEC 2005

10/560418

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

VAKIL et al.

Atty. Ref.: **4062-178**

Serial No. **unknown**

Group: **unknown**

National Phase of: **PCT/IB2004/000981**

International Filing Date: **1 April 2004**

Filed: **November 14, 2005** Examiner: **Unknown**

For: **PROCESS FOR PREPARING OMEGA-ANHYDROUS
GATIFLOXACIN**

* * * * *

December 14, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**CORRECTION OF PCT APPLICATION NUMBER
IN ORIGINALLY FILED PAPERS**

It has been brought to the attention of the undersigned attorney that the PCT application number was incorrectly identified as PCT/IB04/000951 rather than the correct number; i.e., **PCT/IB04/000981**. A copy of the published application was filed with the original papers on November 14, 2005. Copies of the front pages of published WO 2004/101527 which bear this out are enclosed. Also enclosed are a corrected Transmittal Letter and Preliminary Amendment.

A Declaration was not included with the original filing but when it is submitted it will bear the correct number.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon

Reg. No. 25,640

LSN:Imy

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